

**REMARKS:**

Claims 1, 2, 6-8, 13 and 14 are canceled without prejudice. Claims 11 and 12 were previously canceled. Claims 3, 4, 5, 9, 10 and 15-17 are amended. Claims 3, 4, 5, 9, 10 and 15-17 are pending in the application. Reconsideration and reexamination of the application, as amended, are respectfully requested.

Claims 1-10 and 13-17 were rejected in a Final Office Action mailed May 20, 2003. The applicant filed an amendment on November 3, 2003. An Advisory Action was mailed December 2, 2003 in which the Examiner stated that the amendment had been considered but did not place the application in condition for allowance. Because no Notice of Allowance was received and no Notice of Appeal or RCE was filed before November 20, 2003 (6 months from the mailing date of the Final Office Action), the applicant had become unintentionally abandoned.

The applicant files a Petition to Revive Unintentionally Abandoned Application and an RCE concurrently with the instant preliminary amendment to continue prosecution of the application.

The Final Office Action rejected claims 1-10 and 13-17 as being obvious over Suzuki et al (US 6433845) in view of Itoh et al. (US 5485295). The Advisory Action maintained this rejection. The applicant now cancels claims 1, 2, 6-8, 13 and 14, and re-writes claims 3, 9 and 15 in independent form. Claims 4, 5, 10, 16 and 17 are amended to change their dependency accordingly. The applicant respectfully submits that claims 3, 9 and 15 are patentable over the cited Suzuki and Itoh references.

The general features of the embodiments of the present invention and the teaching of the cited references are discussed in earlier responses and are not repeated here. One of the distinctions between the present invention and the Suzuki reference is that Suzuki uses a quarter wavelength plate between the polarizer and the liquid crystal, while embodiments of the present invention use a

phase plate that is not necessarily a quarter wavelength plate. Claims 3 and 15 recite an LCD apparatus having a phase plate, where the “retardation of the phase plate falls in a range equal to or larger than 320 nm and equal to or smaller than 430 nm”. Similarly, the LCD apparatus of claim 9 includes a phase plate where the “retardation of the phase plate falls in a range equal to or larger than about 160 nm and equal to or smaller than about 200 nm”. Suzuki does not teach or suggest such a phase plate, as Suzuki only teaches a quarter wavelength plate. The applicant notes that the present specification discloses optimizing the properties of the LCD by optimizing many parameters, including the retardation of the phase plate. Although the claims do not require such an optimization, the claimed retardation ranges of the phase plate are a result of such optimization. These claims are unobvious because Suzuki merely teaches using a quarter wavelength plate, and the retardation of the quarter wavelength plate is fixed and not a parameter being optimized. Thus, the phase plate recited in the present claims is not obvious in view of Suzuki.

Accordingly, the applicant submits that amended claims 3, 9 and 15, as well as claims 4, 5, 10, 16 and 17 that depend therefrom, are patentable over the cited Suzuki and Itoh references.

Appl. No.09/624,062  
Prelim. Amdt. Dated January 15, 2004

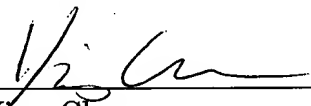
Attorney Docket No. 81940.0001  
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In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,  
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